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Programme budget for the biennium 2008-2009

Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law

Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law

Programme budget implications of General Assembly resolution 63/3

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Introduction

1. At its 22nd meeting, on 8 October 2008, the General Assembly adopted resolution 63/3 by a recorded vote of 77 to 6, with 74 abstentions. Prior to the adoption of the draft resolution, a statement of programme budget implications was read to the Assembly, informing it that:

(a) Should the draft resolution be adopted, the International Court of Justice would proceed to establish the scope of the work arising from the request. Resources had been provided in the programme budget for the biennium 2008-2009 for the Court to provide advisory opinions as requested by organs of the United Nations and specialized agencies. It was anticipated, however, that, owing to the complexity of the question on which the Court was requested in the draft resolution to render an advisory opinion, adoption of the draft resolution was expected to give rise to additional resource requirements;

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(b) On the basis of the determination by the Court of the scope of work, a detailed statement of programme budget implications would be submitted to the General Assembly for its consideration during its current session.

II. Request contained in the resolution

2. By resolution 63/3, the General Assembly decided, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following question: "Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?"

III. Relationship of the request to the programme of work for the bienniums 2008-2009 and 2010-2011

3. The activities to be carried out relate to section 7, International Court of Justice, of the programme budget for the biennium 2008-2009 and the proposed programme budget for 2010-2011.

IV. Estimated resource requirements

4. On the basis of its experience in previous cases, the International Court of Justice estimates the total cost of the advisory opinion requested by the General Assembly in resolution 63/3 to be approximately $435,000, comprising provisions for the following requirements:

(a) Translation, reproduction, communication and transmission of documents ($243,000), including conference interpretation and translation, contractual/external translation of documents, printing and distribution of documents and statements. These costs have been assessed on the basis of the rates for similar services in other cases;

(b) Security ($66,500), including security support during the proceedings in the Great Hall of Justice. In order to ensure cost-efficiency, the International Court of Justice has estimated these costs taking into account the assistance of the authorities of the Netherlands and the Carnegie Foundation and the eventual secondment of security personnel from the International Tribunal for the Former Yugoslavia for this activity;

(c) Media coverage ($125,500). Costs include video streaming software, equipment set-up and live streaming and the engagement of an audio/video technician, as well as equipment rental for audio-visual support and the press centre.

5. Of this amount, $130,000 would be required in 2009 to process initial documentation and to move forward with court proceedings. As indicated in paragraph 1 (a) above, while resources have been provided in the programme budget for the biennium 2008-2009 for the Court to provide advisory opinions as requested by organs of the United Nations, owing to the complexity of the case and the

considerable number of Member States likely to participate in the proceedings, additional resources may be required.

V. Potential for absorption

6. It will be recalled that, under the procedure established by the General Assembly in its resolution 41/213, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the approved programme budget. Under the same procedure, if additional expenditures proposed exceed resources available from the contingency fund, these activities can be implemented only through the redeployment of resources available from low-priority areas or the modification of existing activities.

7. After having reviewed the provisions under section 7, International Court of Justice of the programme budget for the biennium 2008-2009, the Secretariat wishes to inform the General Assembly that efforts will be made to accommodate the estimated additional requirements of $130,000 in 2009 within the existing appropriation under that section for the biennium 2008-2009. Actual expenditures will be reported in the context of the second performance report for the biennium.

8. Requirements for the biennium 2010-2011 ($305,000) will be considered in the context of the proposed programme budget for that biennium.

VI. Conclusion

9. **The General Assembly may wish to note that the adoption of its resolution 63/3 will entail additional requirements amounting to some $435,000 in respect of the International Court of Justice. Efforts will be made to accommodate the estimated additional requirements of $130,000 in 2009 within the programme budget for the biennium 2008-2009, and actual expenditures will be reported in the context of the second performance report for the same biennium. Hence, no additional appropriation is sought at this time.**

10. **The requirements for the biennium 2010-2011 will be considered in the context of the proposed programme budget for that biennium.**

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Programme budget for the biennium 2008-2009

Promotion and protection of the rights of children

Rights of the child

Programme budget implications of draft resolution A/C.3/63/L.16/Rev.1

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

1. At its 47th meeting, on 24 November 2008, the Third Committee adopted draft resolution A/C.3/63/L.16/Rev.1. A statement of programme budget implications was before the Committee in document A/C.3/63/L.69.

I. Requests contained in the draft resolution

2. By operative paragraphs 61 and 81 (b) of draft resolution A/C.3/63/L.16/Rev.1, the General Assembly would:

(a) Take note with appreciation of the work of the Special Representative of the Secretary-General for Children and Armed Conflict, recognize the increased level of activity of her office and the progress achieved since the establishment of the mandate of the Special Representative, and, bearing in mind its resolution 60/231 of 23 December 2005, recommend that the Secretary-General extend the mandate of the Special Representative for a further period of three years;

(b) Request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the progress achieved on the children and armed conflict agenda.

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II. Background

3. In its resolution 51/77 of 12 December 1996, the General Assembly recommended that the Secretary-General appoint for a period of three years a Special Representative on the impact of armed conflict on children and called upon States and institutions concerned to provide voluntary contributions in support of the work of the Special Representative. The Secretary-General appointed the Special Representative for Children and Armed Conflict in September 1997. The scope of responsibilities of the Special Representative was described in documents A/51/306 and Add.1.

4. On 6 January 1998, the Secretary-General established the Trust Fund for Children and Armed Conflict. During the course of its initial three-year period, the Office of the Special Representative was financed by voluntary contributions.

5. In paragraph 37 of its resolution 51/77, the General Assembly requested the Special Representative to submit to the Assembly and the Commission on Human Rights an annual report containing relevant information on the situation of children affected by armed conflict, bearing in mind existing mandates and reports of relevant bodies. Since 1996, in a number of its resolutions, the Assembly has reiterated that request, while welcoming the continuing support for and voluntary contributions to the work of the Special Representative in the fulfilment of the mandate.

6. In its resolutions 54/149 of 17 December 1999 and 57/190 of 18 December 2002, the General Assembly recommended that the Secretary-General extend the mandate of the Special Representative for a further period of three years. In paragraph 3 of section V of resolution 57/190, the Assembly also requested the Secretary-General to undertake a comprehensive assessment of the scope and effectiveness of the United Nations system response, including recommendations for strengthening, mainstreaming, integrating and sustaining those activities.

7. In its resolution 58/245 of 23 December 2003, the General Assembly decided that the activities under the mandate of the Special Representative should be supported through regular budget funding. Before the adoption of that resolution, the Fifth Committee had decided to inform the Assembly that, should it adopt the resolution, any appropriations necessary would be considered in the context of the report to be submitted by the Secretary-General pursuant to section V of Assembly resolution 57/190 (see A/58/652).

8. The report of the Secretary-General on the comprehensive assessment of the United Nations system response to children affected by armed conflict (A/59/331) was issued on 3 September 2004. In that report, the Secretary-General provided, inter alia, recommendations for strengthening the United Nations system response to children affected by armed conflict.

9. In paragraph 51 (c) of its resolution 59/261 of 23 December 2004, the General Assembly decided to request the Special Representative to continue to submit reports to the Assembly and the Commission on Human Rights and to ensure that they contained relevant, accurate and objective information on the situation of children affected by armed conflict, taking into account the views of Member States and the outcome document adopted by the Assembly at its special session on children and bearing in mind existing mandates and reports of relevant bodies.

10. In adopting resolution 59/261, the General Assembly also approved resources pertaining to the maintenance of operations of the Office of the Special Representative in 2005 from the regular budget.

11. The General Assembly, in its resolution 60/231 of 23 December 2005, recommended that the Secretary-General extend the mandate of the Office for a further period of three years effective 1 January 2006. Accordingly, regular budget provisions have been provided for the Office under the programme budgets for the biennium 2006-2007 and through 31 December 2008.

III. Activities through which the requests would be implemented

12. The recommendation to extend the mandate of the Special Representative for a further period of three years, and the continuation of reporting to the General Assembly and the Human Rights Council on the progress achieved and the challenges remaining on the children and armed conflict agenda, requested in operative paragraphs 61 and 81 (b), respectively, of draft resolution A/C.3/63/L.16/Rev.1, would reflect the continuation of the mandate of the Special Representative, described in paragraphs 36 and 37 of Assembly resolution 51/77. The extension and reporting requirement would require that necessary support be provided for effective performance of the mandate of the Office. In this regard, necessary resources would be required in order to further maintain, in 2009, 2010 and 2011, the Office of the Special Representative, which has been responsible, inter alia, for the preparation of the reports for the past several years.

13. Key elements of the mandate of the Special Representative are:

(a) To serve as a moral voice and independent advocate for the protection and well-being of children affected by armed conflict;

(b) To advocate for, build awareness about and give prominence to the rights and protection of children affected by armed conflict;

(c) To work with partners to propose ideas and approaches for enhancing the protection of children and for promoting a more concerted protection response;

(d) To undertake humanitarian and diplomatic initiatives to facilitate the work of operational actors on the ground, including the promotion of international cooperation.

14. In pursuing the objectives of the programme of work, the Office of the Special Representative will pursue the following strategic approaches:

(a) Monitoring the situation of children affected by armed conflict and reporting to the General Assembly, the Security Council and other destinations for action, including the Human Rights Council and the International Criminal Court;

(b) High-level advocacy to promote awareness of and support for global initiatives to end grave violations against children affected by armed conflict;

(c) Working in consultation and partnership with key stakeholders, including Member States, regional organizations, United Nations systems partners, civil society organizations and non-governmental organizations, with a view to mainstreaming concerns in the area of children and armed conflict into the policy and strategic considerations of those bodies;

(d) Creating awareness about other protection issues related to children and armed conflict, including post-conflict situations and the specific needs of internally displaced children, the girl child and other emerging concerns.

15. In its most recent resolution on the subject, resolution 1612 (2005) of 26 July 2005, the Security Council requested the Secretary-General to implement a comprehensive monitoring and reporting mechanism on children and armed conflict, and decided to establish a working group of the Council to review the reports stemming from the mechanism, thereby increasing the Council's engagement in the area of children and armed conflict. The Office of the Special Representative has been given responsibility for drafting, in consultation with key partners, the Secretary-General's annual reports to the Council on children and armed conflict as well as for the final preparation of the Secretary-General's reports to the Council's Working Group on Children and Armed Conflict. The Special Representative, as convener of the Task Force on Children and Armed Conflict, ensures that the compilation of reports is undertaken through a consultative process and that timely, reliable and high-quality reports are prepared.

16. At the time of the renewal of the mandate in 2005, the Office was responsible for preparing only three system-level reports per year, that is to say, one submitted to the Security Council, one to the General Assembly and one to the Human Rights Council. However, pursuant to Security Council resolution 1612 (2005), the number of reports submitted to the Security Council has increased significantly. In addition to the three reports mentioned above, it is estimated that in 2009 an additional 11 reports, including country-specific reports, will be required. In addition, the resolution has increased the burden imposed on the Office with respect to preparing and executing field missions to Security Council priority situations, and intensive follow-up of its formal decisions in relation to these situations. When called upon, the Special Representative also serves as a facilitator, undertaking humanitarian and diplomatic initiatives to foster international cooperation and facilitate the work of operational actors on the ground with regard to children and armed conflict.

17. Field visits by the Special Representative have been a central element of her advocacy strategy for bringing high-level visibility to the situation and rights of children affected by armed conflict. Accordingly, country visits by the Special Representative would be undertaken for the purpose of meeting with Government officials, parties to conflict, the country teams and civil society organizations so as to enable her to observe first-hand the situation of children affected by armed conflict, which is essential for the fulfilment of the mandate of the Office.

18. The Special Representative's advocacy strategy also includes media outreach, events, briefings to schools and universities and the maintenance of a website. The website of the Office is online in the six official languages of the United Nations and serves as a platform of references on children and armed conflict issues for United Nations partners, Member States, non-governmental organizations, the media and the public at large.

IV. Estimates of additional requirements

19. Currently, funding for the Office has been provided for 2008 only under the programme budget for the biennium 2008-2009, in accordance with the current mandate of the Office. The extension of the mandate would require additional

resources for the Office of the Special Representative for 2009 in the amount of $2,194,300 gross ($1,965,500 net). The provision would reflect the continuation of the current staffing complement which comprises the Special Representative (Under-Secretary-General), a Senior Adviser (P-5); two Professional staff (P-4) responsible for day-to-day relations with United Nations entities and non-governmental organizations, as well as for assisting in the preparation of reports; one Professional staff member (P-3) responsible for outreach and public information; and three support staff (1 General Service (Principal level) and 2 General Service (Other level)). In addition, two new Professional posts (1 P-4 and 1 P-3) are being requested to strengthen the Office in order to meet the increased level of activities including monitoring, reporting, field visits and follow-up, as requested by the Security Council within the framework of Council resolution 1612 (2005). The cost of these 10 temporary posts would amount to $1,389,500, net of staff assessment.

20. The Office of the Special Representative would also be provided with adequate resources to cover field visits and other cooperation and coordination trips, consultancies and other office operations, commensurate with the structure and functions. The table below provides information on the estimated resource requirements for post and non-post resources (inter alia, consultants and experts, operating expenses, travel, etc.).

Resource requirements for 2009 (net)

(United States dollars)

Post	1 389 500
Non-post	576 000
Total	**1 965 500**

21. Accordingly, in order to maintain the Office during 2009, additional provision of $1,965,500 (net) would need to be provided from the programme budget for the biennium 2008-2009. In addition, it is estimated that $228,800 would be required for staff assessment, to be offset by the same amount under income from staff assessment.

22. The resource requirements for the operation of the Office in 2010 and 2011 would be considered in the context of the proposed programme budget for the biennium 2010-2011. The Assembly may wish to note that the additional requirements for the full costing of the proposed 10 posts in the biennium 2010-2011 are currently estimated at $3,529,800 under section 1, Overall policymaking, direction and coordination ($3,032,700), and section 35, Staff assessment ($497,100), to be offset by an equivalent amount under Income section 1, Income from staff assessment.

V. Potential for absorption and contingency fund

23. There are no resources provided under the programme budget for the biennium 2008-2009 that could be made available for the support of the operations of the Office of the Special Representative in 2009. Any amount that the General

Assembly may decide to allocate in support of the Office of the Special Representative would therefore need to be provided through an additional appropriation for the biennium 2008-2009 in the context of operations of the contingency fund.

24. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditure derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditure were proposed that exceeded the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

VI. Action required by the General Assembly

25. **Should the General Assembly adopt draft resolution A/C.3/63/L.16/Rev.1, additional resource requirements of $2,194,300 gross ($1,965,500 net), relating to the terms of operative paragraphs 61 and 81 (b) of the draft resolution, would arise under section 1, Overall policymaking, direction and coordination ($1,774,300), section 28D, Office of Central Support Services ($191,200), and section 35, Staff assessment ($228,800), to be offset by the same amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2008 2009. This would represent a charge against the contingency fund and, as such, would require an additional appropriation for the biennium 2008-2009**.

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Programme budget for the biennium 2008-2009

Elimination of racism and racial discrimination: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Programme budget implications of draft resolution A/C.3/63/L.51/Rev.1

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Introduction

1. At its 48th meeting, on 25 November 2008, the Third Committee adopted draft resolution A/C.3/63/L.51/Rev.1 by a recorded vote of 130 to 11, with 35 abstentions. A statement of the programme budget implications of the draft resolution was before the Committee, in document A/C.3/63/L.70.

II. Requests contained in the draft resolution, as orally revised

2. Under the terms of operative paragraphs 38, 48, 51 and 53 of draft resolution A/C.3/63/L.51/Rev.1, the General Assembly would:

(a) Request the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of

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independent eminent experts on the implementation of the Durban Declaration and Programme of Action, and the Ad hoc Committee on complementary standards;

(b) Request the Secretary-General to provide the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit a report to the General Assembly at its sixty-fourth session;

(c) Welcome the reports of the Preparatory Committee for the Durban Review Conference on its organizational session, first and second substantive sessions and endorse the decisions contained therein;

(d) Express appreciation for the convening of the Regional Preparatory Meeting to the Durban Review Conference for Latin America and the Caribbean, in Brasília from 17 to 19 June 2008 and the Regional Preparatory Meeting for Africa in Abuja from 24 to 26 August 2008.

III. Relationship of the requests to the programme of work for the biennium 2008-2009

3. The activities referred to above, relate to: (a) programme 1, General Assembly and Economic and Social Council affairs and conference management; (b) subprogramme 2, Supporting human rights bodies and organs, of programme 19, Human rights; and (c) subprogramme 4, Support services, of programme 24, Management and support services, of the biennial programme plan and priorities for the period 2008-2009. They also fall under section 2, General Assembly and Economic and Social Council affairs and conference management; section 23, Human rights; and section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009.

4. It may be recalled, with regard to the adoption of draft resolution A/C.3/62/L.65/Rev.1 (adopted as resolution 62/220), that the General Assembly was informed of the programme budget implications entailed thereby in document A/C.5/62/21. The Assembly was informed that preliminary additional resources required for the biennium 2008-2009 up to $6,794,700 would be required under section 2, General Assembly and Economic and Social Council affairs and conference management, and section 23, Human rights, of the programme budget for the biennium 2008-2009, and that, upon conclusion of discussions and negotiations and determination of the structure of the Durban Review Conference, including the regional preparatory meetings, detailed financial implications would be submitted. Accordingly, at that time no funding was provided under the programme budget for the biennium 2008-2009.

5. During the course of 2008, the Secretariat has reviewed and coordinated information on the requirements to respond to the terms of resolution 62/220 in order to report on the detailed programme budget implications that relate to the preparatory process and the Durban Review Conference itself. The calendar of conferences and meetings of the United Nations for the biennium 2008-2009, as adopted by the General Assembly in its resolution 62/225, included the meetings for the preparatory process and the holding of the Durban Review Conference, including the new mandates arising from Assembly resolutions 62/143 and 62/220.

IV. Summary of overall estimated additional requirements

6. Should the General Assembly adopt the draft resolution contained in document A/C.3/63/L.51/Rev.1, as orally revised, the overall estimated additional requirements for the Durban Review Conference and its preparatory process are now estimated at $3,754,800.

7. The amount for which an appropriation would be sought totals only $570,400 as it is anticipated that the estimated additional requirements of $3,184,400 will be met, to a large extent, through potential absorption under the various sections reflected in table 1 below.

8. It should be noted that the estimates contained in the present detailed statement of programme budget implications have been reduced considerably from the preliminary estimates of up to $6,794,700 reported in the above-mentioned statement (A/C.5/62/21 of 14 December 2007). A number of developments in 2008 have had an impact on the level of activities implemented, as well as activities to be implemented, which have resulted in a reduction of the preliminary estimates.

9. With regard to operative paragraphs 51 and 53 of draft resolution A/C.3/63/L.51/Rev.1, the Preparatory Committee, at its first and second substantive sessions, held from 21 April to 2 May, and on 26 May 2008 and from 6 to 17 October 2008, took decisions regarding the nature, size and shape of the Review Conference, as detailed below:

(a) During a special extension of its first substantive session held on 26 May, the Preparatory Committee for the Durban Review Conference decided that the Conference, which will include a high-level segment, shall be convened in Geneva from 20 to 24 April 2009;

(b) At its second substantive session, the Preparatory Committee adopted decision PC.3/9, entitled "Participation in the Durban Review Conference", by which it decided to request the General Assembly to allocate adequate resources from the regular budget to facilitate the participation in the Review Conference of the relevant human rights treaty bodies and thematic special procedures and mechanisms of the Human Rights Council;

(c) Also at the second substantive session, the Preparatory Committee adopted decision PC.3/10, entitled "Continuation of the preparatory process for the Durban Review Conference", by which, under the terms of its paragraphs (a) and (b), the Committee decided:

(i) To convene a third substantive session of the Preparatory Committee in Geneva for up to three working days, from 15 to 17 April 2009;

(ii) To establish an intersessional open-ended intergovernmental working group with a mandate to continue and finalize the process of negotiations on and drafting of the outcome document of the Durban Review Conference on the basis of the compilation of proposals resulting from the work of the second substantive session of the Preparatory Committee and any further contributions, and to report thereon to the third substantive session of the Preparatory Committee, and also decided that the open-ended intergovernmental working group should meet for a total of up to 10 working days in advance of the third substantive session of the Preparatory Committee,

including a meeting on 27 November 2008, with the first session of the working group to be held from 19 to 23 January 2009, and the second session on 6 to 9 April 2009 or at any other date agreed upon by the working group.

10. The Preparatory Committee was informed of the financial implications of all decisions taken during its meetings, in the course of 2008, which are currently before the General Assembly, and fall under the terms of draft resolution A/C.3/63/L.51/Rev.1.

11. With regard to operative paragraph 53 of draft resolution A/C.3/63/L.51/Rev.1, in which the General Assembly would express appreciation for the convening of the Regional Preparatory Meetings for the Review Conference held in Brasília and Abuja, it should be noted that only two of the five meetings for which requirements were estimated have been held.

12. Although the total estimated requirements for the Durban Review Conference and its preparatory process amount to $3,754,800, it should be noted that, as of October 2008, the actual expenditure associated with the preparatory process stood at $2,052,200. The difference in the initial estimates contained in the report of the Secretary-General (A/C.5/62/21) and the revised estimate provided in the present report are explained under each section of the programme budget for the biennium 2008-2009 below. The overall additional resource requirements by section and by object of expenditure, for which an appropriation will be sought under the programme budget for the biennium 2008-2009, are detailed in tables 2 and 3 respectively.

13. The programme budget implications for section 2, General Assembly and Economic and Social Council affairs and conference management, section 23, Human rights, and section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009 are discussed in section V below.

Table 1

Overall summary of revised estimates related to the Durban Review Conference, including its preparatory processes

(United States dollars)

Section	*Preliminary net requirements*[a] *A*	*Actual requirements as of 20 October 2008* *B*	*Additional requirements arising from decisions of the Preparatory Committee at its second session* *C*	*Total requirements* *D=B+C*	*Potential for absorption* *E*	*Revised requirements* *F=D-E*	*Difference between preliminary and revised estimates* *G=F-A*
2. General Assembly and Economic and Social Council affairs and conference management							
1. Two sessions of the Intergovernmental Working Group	1 625 600	738 700	—	738 700	738 700	—	(1 625 600)
2. Preparatory Committee: first and second sessions	—	995 100	—	995 100	995 100	—	—
3. Five regional preparatory conferences	3 270 300	—	—	—	—	—	(3 270 300)
4. Preparatory Committee: third session	—	—	382 900	382 900	—	382 900	382 900
5. Intersessional open-ended intergovernmental working group	—	—	187 500	187 500	—	187 500	187 500
6. Durban Review Conference	—	—	675 200	675 200	675 200	—	—
Subtotal, section 2	**4 895 900**	**1 733 800**	**1 245 600**	**2 979 400**	**2 409 000**	**570 400**	**(4 325 500)**
23. Human rights							
1. General temporary assistance (2 P-4 and 2 General Service (Other level) for 18 months each)	837 000	—	—	—	—	—	(837 000)
2. Travel of experts (special representatives)	825 100	99 300	139 700	239 000	239 000	—	(825 100)
3. Travel of Chairperson	—	27 100	4 800	31 900	31 900	—	—
4. Travel of staff	236 700	169 500	101 200	270 700	270 700	—	(236 700)
Consultants for three months for Review Conference	—	—	81 000	81 000	81 000	—	—
Information campaign	—	—	78 000	78 000	78 000	—	—
Printing of outcome document	—	—	40 000	40 000	40 000	—	—
Subtotal, section 23	**1 898 800**	**295 900**	**444 700**	**740 600**	**740 600**	**—**	**(1 898 800)**
28E. Administration, Geneva							
1. Support services	—	22 500	12 300	34 800	34 800	—	—
Subtotal, section 28E	**—**	**22 500**	**12 300**	**34 800**	**34 800**	**—**	**—**
Total	**6 794 700**	**2 052 200**	**1 702 600**	**3 754 800**	**3 184 400**	**570 400**	**(6 224 300)**

[a] Including the absorption of $253,100, under section 2, and $13,800, under section 28E, as presented in document A/C.5/62/21.

Table 2
Additional resource requirements by section of the regular budget
(Thousands of United States dollars)

	2008-2009			
Section	*Initial appropriation 2008-2009*	*Proposed change*	*Percentage*	*Revised 2008-2009 estimate*
2. General Assembly and Economic and Social Council affairs and conference management	629 339.8	570.4	0.09	629 910.2
23. Human rights	116 938.4	—	—	116 938.4
28E. Administration, Geneva	112 185.0	—	—	112 185.0
Total	**858 463.2**	**570.4**	**0.07**	**859 033.6**

Table 3
Additional resource requirements by object of expenditure
(Thousands of United States dollars)

	Resources		
Object of expenditure	*Initial appropriation 2008-2009*	*Proposed change*	*Revised 2008-2009 estimate*
Posts	637 060.9	—	637 060.9
Other staff costs	68 949.5	570.4	69 519.9
Non-staff compensation	0.2	—	0.2
Consultants and experts	977.2	—	977.2
Travel of representatives	13 929.9	—	13 929.9
Travel of staff	3 265.6	—	3 265.6
Contractual services	24 335.0	—	24 335.0
General operating expenses	40 616.3	—	40 616.3
Hospitality	25.8	—	25.8
Supplies and materials	10 965.6	—	10 965.6
Furniture and equipment	8 297.5	—	8 297.5
Grants and contributions	50 039.7	—	50 039.7
Total	**858 463.2**	**570.4**	**859 033.6**

V. Activities by which the proposals would be implemented and additional requirements by programme budget section

A. Section 2. General Assembly and Economic and Social Council affairs and conference management

Table 4
Requirements by component and source of funds (regular budget) (additional resource requirements: $570,400)
(Thousands of United States dollars)

	Resources			
Section	*Initial appropriation 2008-2009*	*Change*	*Revised 2008-2009 estimate*	*Post changes*
2. General Assembly and Economic and Social Council affairs and conference management				
A. Policymaking organs	871.8	—	871.8	—
B. Executive direction and management	5 875.6	—	5 875.6	—
C. Programme of work	618 299.3	570.4	618 869.7	—
D. Programme support	4 293.1	—	4 293.1	—
Total	**629 339.8**	**570.4**	**629 910.2**	—

Table 5
Additional resource requirements by object of expenditure
(Thousands of United States dollars)

	Resources		
Object of expenditure	*Initial appropriation 2008-2009*	*Change*	*Revised 2008-2009 estimate*
Posts	479 634.5	—	479 634.5
Other staff costs	62 658.6	570.4	63 229.0
Travel of representatives	327.1	—	327.1
Travel of staff	323.0	—	323.0
Contractual services	18 295.5	—	18 295.5
General operating expenses	9 019.0	—	9 019.0
Hospitality	8.3	—	8.3
Supplies and materials	8 480.3	—	8 480.3
Furniture and equipment	5 279.4	—	5 279.4
Grants and contributions	45 314.1	—	45 314.1
Total	**629 339.8**	**570.4**	**629 910.2**

14. It should be recalled that in paragraphs 12 and 13 of the above-mentioned statement of programme budget implications (A/C.5/62/21), it was estimated that a

net preliminary amount of $4,895,900 would be required under section 2, General Assembly and Economic and Social Council affairs and conference management, after absorption of $253,100 within the programme budget for the biennium 2008-2009.

15. The revised estimated conference servicing requirements now amount to $2,979,400, including the actual expenditure of $1,733,800 for activities that have already taken place in 2008 and $1,245,600 for planned activities. This reflects a reduction in requirements as compared with those reported in document A/C.5/62/21 by an amount of $1,916,500. The revised estimated requirements have and will be provided to a large extent from the existing resources programmed under section 2, General Assembly and Economic and Social Council affairs and conference management, for the biennium 2008-2009, in the amount of $2,409,000 for the activities that have already taken place in 2008 in relation to the preparatory process for the Durban Review Conference and the Conference itself, leaving a balance of $570,400, which would require additional resources under the programme budget for the biennium 2008-2009.

16. The revised estimates under section 2, General Assembly and Economic and Social Council affairs and conference management, presented herein relate principally to a reduction in the quantity of documentation requiring translation into the relevant official languages for the intersessional open-ended intergovernmental working group and that only two out of the five planned regional preparatory meetings were actually held. The net effect of the revisions to the initial estimates are explained below:

(a) The actual cost of the two sessions of the intergovernmental working group, which amounted to $738,700, was considerably lower, by $886,900, than the estimate of $1,625,700, as provided in document A/C.5/62/21; and the cost was met from within the resources programmed under section 2 for the biennium 2008-2009;

(b) The actual costs of the Regional Preparatory Meeting for Latin America and the Caribbean and the Regional Preparatory Meeting for Africa were financed from (i) extrabudgetary resources in the amount of $187,300 with respect to the Regional Preparatory Meeting for Africa and (ii) by the host Government in the case of the Regional Preparatory Meeting for Latin America and the Caribbean. The other three regional preparatory meetings (for Asia, Eastern European and Western European and other States) will not be held. The resources for those meetings, initially to have been financed from the regular budget in the amount of $3,270,300, will no longer be required and hence no resources in this regard are sought;

(c) The actual cost of the first and second substantive sessions of the Preparatory Committee, which have already been held, was higher, by an amount of $995,100, than initially estimated in document A/C.5/62/21, owing to the increase in the scope of services. This additional cost has been met from within the resources already programmed under section 2;

(d) Additional resource requirements would arise from the terms of operative paragraph 51 of draft resolution A/C.3/63/L.51/Rev.1 in line with decision PC.3/9 of the Preparatory Committee, namely:

(i) To convene a third substantive session of the Preparatory Committee in Geneva for up to three working days. This session has not been programmed in the current programme budget. The additional requirements under section 2 for

the third substantive session of the Preparatory Committee are estimated at $382,900;

(ii) To establish an intersessional open-ended intergovernmental working group with a mandate to continue and finalize the process of negotiations on and drafting of the outcome document of the Durban Review Conference, which will meet for a total of up to 10 working days in advance of the third substantive session of the Preparatory Committee. This requirement has not been programmed in the programme budget for the biennium 2008-2009. The additional requirements under section 2 for the intersessional open-ended intergovernmental working group would amount to $187,500;

(e) By its resolution PC.2/13, the Preparatory Committee decided that the Durban Review Conference would be convened in Geneva from 20 to 24 April 2009. The conference-servicing requirements for the Durban Review Conference are estimated at $675,200. These costs would be met from the existing resources under section 2, as the Durban Review Conference has already been programmed in the calendar of conferences and meetings for the biennium 2008-2009.

B. Section 23. Human rights

Table 6

Requirements by component and source of funds (regular budget) (additional resource requirements: nil)

(Thousands of United States dollars)

	Resources			
Section	*Initial appropriation 2008-2009*	*Change*	*Revised 2008-2009 estimate*	*Post changes*
23. Human rights				
A. Policymaking organs	9 472.5	—	9 472.5	—
B. Executive direction and management	13 033.4	—	13 033.4	—
C. Programme of work	82 835.3	—	82 835.3	—
D. Programme support	10 920.7	—	10 920.7	—
E. Committee on Missing Persons in Cyprus	676.5	—	676.5	—
Total	**116 938.4**	—	**116 938.4**	—

17. With regard to operative paragraphs 38 and 48 of draft resolution A/C.3/63/L.51/Rev.1, it should be recalled that in his position (see A/C.5/62/21) relating to the requirements arising from paragraphs 46 and 52 of General Assembly resolution 62/220 for the fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Secretary-General reaffirmed that they would be met from within the provisions

under section 23, Human rights, of the programme budget for the biennium 2008-2009. With respect to the Ad Hoc Committee on complementary standards, the requirements will also be met from within the provisions under section 23, Human rights.

18. With regard to operative paragraph 51 of draft resolution A/C.3/63/51/Rev.1, it may be recalled that, in regard to General Assembly resolution 62/220, it was estimated that additional resources of $1,898,800, would arise under section 23, Human rights. As detailed in paragraph 6 of the statement submitted by the Secretary-General (A/C.5/62/21), the additional resources anticipated were required for:

(a) Additional support staff consisting of two staff at the P-4 level and two staff at the General Service (Other level), each for 18 months, to be provided from general temporary assistance, to carry out functions related to servicing the intersessional working group ($837,000);

(b) Travel requirements for the participation of all those mandated under relevant special procedures and mechanisms of the Human Rights Council in the meetings of the Preparatory Committee and regional preparatory meetings, based on anticipated travel and daily subsistence allowance for the 16 experts to attend two meetings of the Preparatory Committee and the five regional meetings ($825,100);

(c) Travel requirements for staff of the Office of the United Nations High Commissioner for Human Rights to service the regional preparatory meetings ($236,700).

19. In respect of the additional support staff referred to in paragraph 18 (a) above, the Secretariat reviewed the approved appropriation for the biennium 2008-2009 under section 23, Human rights, and resorted to: (a) the use of available resources under section 23 for the two P-4 posts, bearing in mind the delayed recruitment that will occur in the filling of the posts approved for the Office of the High Commissioner for Human Rights; and (b) the use of extrabudgetary resources for the two General Service (Other level) posts required. The initial estimated requirements of $837,000 for such support staff are no longer required under section 23, Human rights, of the programme budget for the biennium 2008-2009, as they either have been met or will continue to be met from within existing resources or from voluntary contributions.

20. With regard to the requirements set out in paragraphs 18 (b) and (c) above, the additional requirements of $825,100 and $236,700 initially estimated to be required for travel of representatives and staff will no longer be sought because the actual requirements of $126,400 for travel of representatives, including the travel requirements of the Chairperson of the Preparatory Committee for participating in meetings of the Preparatory Committee/Bureau and the regional preparatory meetings, and of $169,500 for travel of staff were far less than initially estimated, owing in part to the fact that three of the regional preparatory meetings will not be held. The total actual requirements of $295,900 were met from within existing resources under section 23, Human rights, of the programme budget for the biennium 2008-2009.

21. By its decision PC.2/13, the Preparatory Committee decided that the Durban Review Conference, which will include a high-level segment, shall be convened in

Geneva, from 20 to 24 April 2009. The Human Rights Council also adopted a decision on the structure of the Conference.

22. With regard to operative paragraph 51 of draft resolution A/C.3/63/L.51/Rev.1, in which the General Assembly would endorse the decisions of the Preparatory Committee at its first and second substantive sessions, the attention of the Assembly is drawn to decisions PC.3/9 and PC.3/10. Under the terms of operative paragraph 51, the Assembly would endorse Preparatory Committee decision PC.3/10, in which the Committee decided to request the Assembly to allocate adequate resources from the regular budget to facilitate the participation in the Durban Review Conference of those mandated under the relevant human rights treaty bodies and thematic special procedures and mechanisms of the Human Rights Council. It is estimated that a total amount of $424,500 will be required under section 23, Human rights, under the programme budget for the biennium 2008-2009, in response to the terms of operative paragraph 51 of draft resolution A/C.3/63/L.51/Rev.1 to cover: the travel requirements for the participation in the Review Conference of those mandated under the relevant human rights treaty bodies and thematic special procedures and mechanisms of the Human Rights Council ($119,500); the travel of the Chairperson ($4,800); the travel requirements of staff ($101,200); requirements relating to the services of consultants for three months to carry out studies for the Conference ($81,000) and an information campaign ($78,000); and for the printing of the outcome document ($40,000).

23. Under the terms of draft resolution A/C.3/63/L.51/Rev.1, by which the General Assembly would endorse Preparatory Committee decision PC.3/9, it is estimated that a total additional requirement of $20,200 will be required under section 23, Human rights, of the programme budget for the biennium 2008-2009, for daily subsistence allowance requirements for 10 experts and the Chairperson of the Working Group on People of African Descent to participate in the third substantive session, which is expected to be held immediately before the Conference.

24. Although the requirements of $424,500 and $20,200 indicated in paragraphs 22 and 23 above have not been provided under the programme budget for the biennium 2008-2009, every effort will be made to accommodate the estimated total amount of $444,700 within the approved appropriation of section 23, Human rights, under the programme budget for the biennium 2008-2009. The results will be reported within the context of the second performance report for the biennium 2008-2009.

25. With regard to draft resolution A/C.3/63/L.51/Rev.1, it may be recalled that in paragraph 9 of document A/C.5/62/21, it was initially estimated that travel requirements of approximately $804,100 for representatives from the least developed countries and representatives of national human rights institutions and non-governmental organizations, especially those from developing countries of the region where a regional conference was to have been held in accordance with Preparatory Committee decision PC.1/12, would be funded from available extrabudgetary resources. Under the terms of that decision, endorsed by the General Assembly in its resolution 62/143, the Committee decided: (a) to request the United Nations High Commissioner for Human Rights to revitalize the voluntary fund for the Durban Review Conference, which would cover expenses, other than those covered by the regular budget, related to the preparatory process for the Durban Review Conference, including the needs of the intersessional working group, the

participation of the representatives of national human rights institutions and non-governmental organizations, especially those from developing countries, as well as human rights treaty bodies and thematic special procedures; (b) to encourage the United Nations High Commissioner for Human Rights to assist States and regional organizations that convene international, regional and national meetings and/or undertake other relevant initiatives, including at expert level, in the framework of the preparatory process for the Durban Review Conference, and to urge United Nations bodies and specialized agencies, in particular the regional commissions, in coordination with the High Commissioner, to provide assistance for the organization of the preparatory activities and to stress that such assistance should be supplemented by voluntary contributions; and (c) to recommend that the Assembly appeal for contributions from extrabudgetary resources to cover the cost of participation of representatives of the least developed countries in the preparatory processes, including the first and second substantive sessions of the Preparatory Committee, the relevant regional preparatory meetings and the Durban Review Conference.

26. The actual extrabudgetary resources utilized for participation in the Preparatory Committee amounted to $53,100. It is estimated that approximately $1,071,100 of extrabudgetary resources will be required for the participation of non-governmental organizations and national human rights institutions, including programme support requirements, in relation to the Durban Review Conference. To date, the extrabudgetary resources to fund these requirements and to be sufficiently responsive to the terms of operative paragraph 56 of draft resolution A/C.3/63/L.51/Rev.1 relating to participation in the Durban Review Conference have not been received at the level expected.

27. Modifications to the outputs under subprogramme 2, Supporting human rights bodies and organs, of the programme of work under section 23, Human rights, of the programme budget for the biennium 2008-2009 (A/62/6 (Sect. 23)), would be required, as follows:

> In paragraph 23.66 (a) (iii) a., the words "meetings of the Intergovernmental Working Group to Follow-up the work of the Preparatory Committee (20)" and meetings of the Intersessional open-ended Intergovernmental Working Group to continue and finalize the process of negotiations on and drafting of the outcome document of the Durban Review Conference (20)" would be inserted at the end of the paragraph.

C. Section 28E. Administration, Geneva

Table 7

Requirements by component and source of funds (regular budget) (additional resource requirements: nil)

(Thousands of United States dollars)

	Resources		
Section	*Initial appropriation 2008-2009*	*Change*	*Revised 2008-2009 estimate*
28E. Administration, Geneva			
A. Executive direction and management	1 634.0	—	1 634.0
B. Programme of work			
1) Programme, planning budget and accounts	8 276.7	—	8 276.7
2) Human resources management	15 711.1	—	15 711.1
3) Support services	86 563.2	—	86 563.2
Subtotal, Programme of work	**110 551.0**	**—**	**110 551.0**
Total	**112 185.0**	**—**	**112 185.0**

28. As indicated in the statement of programme budget implications of draft resolution A/C.3/62/L.65/Rev.1 submitted to the General Assembly in document A/C.5/62/21, the estimated costs under section 28E for the holding of the first and second substantive sessions of the Preparatory Committee and the related open-ended intergovernmental working group amounted to $13,800. These meetings are included in the calendar of conferences and meetings and the related costs were provided under section 28E of the programme budget for the biennium 2008-2009. However, the actual costs incurred for those meetings amounted to $22,500, exceeding the initial estimates. That fact notwithstanding, the total amount will be absorbed within the resources provided under section 28E of the programme budget for the biennium 2008-2009.

29. As decided by the Preparatory Committee in its decision PC.3/9, the holding of the third substantive session of the Preparatory Committee and the related intersessional open-ended intergovernmental working group would result in an estimated cost of $8,900 under section 28E for the provision of support services. Based on a review of appropriations under this section, it is foreseen that this requirement would also be absorbed within the provisions approved under section 28E of the programme budget for the biennium 2008-2009.

30. Estimates of costs under section 28E to provide support services, amounting to $3,400, for the holding of the Durban Review Conference are also required. As the Conference has already been included in the calendar of conferences and meetings, the provision for it has already been covered under section 28E of the programme budget for the biennium 2008-2009.

VI. Contingency fund

31. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditure derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures were proposed that exceeded the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

32. The Secretariat has reviewed the approved programme of work under sections 2, 23 and 28E of the programme budget for the biennium 2008-2009. It is considered that revised estimated requirements of $3,184,400, reflected in table 1 above, in response to the terms of draft resolution A/C.3/63/L.51/Rev.1, which endorses the decisions taken by the Preparatory Committee at its organizational and first and second substantive sessions, relating to (a) conference services for the holding of the first and second substantive sessions of the Preparatory Committee in April and May 2008, the holding of two sessions of the Intergovernmental Working Group and the requirements for the Durban Conference itself as indicated above, under section 2 ($2,409,000), (b) additional staff travel and other costs as indicated under section 23 ($740,600) and (c) conference servicing support costs as indicated under section 28E ($34,800), can be met within the appropriation of the programme budget for the biennium 2008-2009.

33. Should the General Assembly adopt draft resolution A/C.3/63/L.51/Rev.1, additional resources of up to $570,400 under section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the biennium 2008-2009 would need to be sought to provide for the holding of the third substantive session of the Preparatory Committee ($382,900) and the intersessional open-ended intergovernmental working group established under the terms of Preparatory Committee decision PC.3/9 ($187,500).

34. It is not possible at this stage to identify activities within section 2 of the programme budget for the biennium 2008-2009 that could be terminated, deferred, curtailed or modified during the biennium in order to meet the additional conference servicing requirements of $570,400 and would thus represent a charge against the contingency fund requiring additional appropriations under the programme budget for the biennium 2008-2009 to be approved by the General Assembly. It will be recalled, however, that a consolidated statement on the use of the contingency fund, reflecting the demand for the additional services, stemming from all statements of programme budget implications and revised estimates for the biennium 2008-2009 will be submitted by the Secretary-General to the Assembly towards the end of the main part of its sixty-third session, together with his proposals on the extent of utilization of the contingency fund for these additional requirements. Any further potential for absorption of these requirements would be presented at that time.

VII. Actions required of the General Assembly

35. **Should draft resolution A/C.3/63/L.51/Rev.1 be adopted, it should be noted that the overall impact of the proposals on the programme budget for the biennium 2008-2009, as indicated in tables 1, 2 and 3 above, amounts to net additional requirements of $570,400 under section 2, General Assembly and Economic and Social Council affairs and conference management. The extent to which these additional requirements would need additional appropriation for the biennium 2008-2009 will be determined in the context of the consolidated statement of all statements of programme budget implications and revised estimates for the biennium 2008-2009 to be submitted to the General Assembly towards the end of the main part of its sixty-third session together with the proposals on utilization of the contingency fund for these additional requirements.**